



**Administrative Regulation Review Subcommittee  
Meeting Agenda**  
**Tuesday, September 14, 2021 at 1 p.m.**  
**Annex Room 149**



- 1. CALL TO ORDER AND ROLL CALL**
- 2. REGULATIONS FOR COMMITTEE REVIEW**

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

**Education Professional Standards Board**

**Administrative Certificates**

[016 KAR 002:220E](#). Emeritus Certificate. (Filed with Ordinary) ("E" expires 03-22-2022)

[016 KAR 002:230E](#). Exception Certificate. (Filed with Ordinary) ("E" expires 03-22-2022)

**FINANCE AND ADMINISTRATION CABINET**

**Kentucky Infrastructure Authority**

[200 KAR 017:110E](#). Guidelines for Kentucky Infrastructure Authority Drinking Water and Wastewater Grant Program. (Filed with Ordinary) (Deferred from August)

**BOARDS AND COMMISSIONS**

**Board of Pharmacy**

[201 KAR 002:270](#). Expungement.

[201 KAR 002:360](#). Naloxone dispensing.

[201 KAR 002:420](#). Administration of vaccines.

**Board of Medical Licensure**

[201 KAR 009:270](#). Professional standards for prescribing, dispensing, or administering Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone. (Amended After Comments)

**Board of Embalmers and Funeral Directors**

[201 KAR 015:040E](#). Examination. (Filed with Ordinary) ("E" expires 03-27-2022)

[201 KAR 015:050E](#). Apprenticeship and supervision requirements. (Filed with Ordinary) ("E" expires 03-27-2022)

[201 KAR 015:110E](#). Funeral establishment criteria. (Filed with Ordinary) ("E" expires 03-27-2022)

[201 KAR 015:125E](#). Surface transportation permit. (Filed with Ordinary) ("E" expires 03-27-2022)

**TOURISM, ARTS AND HERITAGE CABINET**

**Department of Fish and Wildlife Resources**

**Fish**

[301 KAR 001:012](#). Boating, swimming and water skiing and other activities on department-owned or controlled lakes.

[301 KAR 001:016](#). Use of lands and waters on lakes owned or controlled by the department.

[301 KAR 001:018](#). Use of boating access areas.

[301 KAR 001:019](#). Cedar Creek Lake.  
[301 KAR 001:031](#). Land Between the Lakes provisions.  
[301 KAR 001:050](#). Small state-owned lakes, special administrative requirements of.  
[301 KAR 001:082](#). Frog season; limits.  
[301 KAR 001:120](#). Live fish scales and handling; licensure.  
[301 KAR 001:125](#). Transportation of fish.  
[301 KAR 001:140](#). Special commercial fishing permit for Kentucky and Barkley lakes.  
[301 KAR 001:152](#). Harvest and sale of Asian carp.  
[301 KAR 001:210](#). Free fishing days.

### **Game**

[301 KAR 002:015](#). Feeding of wildlife.  
[301 KAR 002:041](#). Shooting areas, dog training areas, commercial foxhound training enclosures, and bobwhite shoot-to-train season.  
[301 KAR 002:050](#). Land Between the Lakes hunting requirements.  
[301 KAR 002:084](#). Importation of game birds.  
[301 KAR 002:111](#). Deer and turkey hunting on special areas.  
[301 KAR 002:230](#). Shoot-to-retrieve field permits and procedures.  
[301 KAR 002:260](#). Crow hunting season.

## **TRANSPORTATION CABINET**

### **Department of Vehicle Regulation**

#### **Motor Vehicle Commission**

[605 KAR 001:030](#). Applications. (Deferred from August)  
[605 KAR 001:035](#). Facilities requirements. (Deferred from August)  
[605 KAR 001:215](#). Licensing fees. (Filed with Emergency) (Deferred from August)

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Board of Education**

#### **Office of Learning Support Services**

[704 KAR 007:121](#). Repeal of 704 KAR 007:120.

#### **Exceptional and Handicapped Programs**

[707 KAR 001:340](#). Procedural safeguards and state complaint procedures. (Not Amended After Comments)

## **LABOR CABINET**

### **Department of Workers' Claims**

[803 KAR 025:165](#). Electronic data interchange vendor approval. (Amended After Comments)  
[803 KAR 025:170](#). Filing of claims information with the Office of Workers' Claims. (Deferred from February)  
[803 KAR 025:175](#). Filing of insurance coverage and notice of policy change or termination. (Deferred from February)  
[803 KAR 025:185](#). Procedure for E-mail notification of cancellation or removal of location of specific workers' compensation coverage. (Deferred from February)

[803 KAR 025:190](#). Utilization review – Medical Bill Audit – Medical Director – Appeal of Utilization Review Decisions. (Amended After Comments) *(Deferred from August) (Also deferred from September; however, this regulation is remaining on the agenda for discussion purposes only.)*

## **PUBLIC PROTECTION CABINET**

### **Department of Insurance**

#### **Fees and taxes**

[806 KAR 004:010](#). Fees of the Department of Insurance. (Deferred from August)

#### **Agents, Consultants, Solicitors, and Adjustors**

[806 KAR 009:025](#). Licensing process. (Amended After Comments) (Deferred from February)

#### **Trade Practices and Frauds**

[806 KAR 012:120](#). Suitability in annuity transactions. (Amended After Comments) (Deferred from February)

#### **Rates and Rating Organizations**

[806 KAR 013:150](#). Property and casualty rate and rule filings. (Deferred from August)

#### **Health Insurance Contracts**

[806 KAR 017:070](#). Filing procedures for health insurance rates. (Deferred from August)

[806 KAR 017:085](#). Minimum standards for short-term nursing home insurance policies. (Deferred from August)

[806 KAR 017:100](#). Certificate of filing for provider-sponsored networks. (Deferred from August)

[806 KAR 017:150](#). Health benefit plan rate filing requirements. (Deferred from August)

[806 KAR 017:230](#). Requirements regarding medical director's signature on health care benefit denials. (Deferred from August)

[806 KAR 017:260](#). Conversion policy minimum benefits.

[806 KAR 017:290](#). Independent External Review Program.

[806 KAR 017:370](#). Standardized health claim attachments.

[806 KAR 017:450](#). Insurance purchasing outlet requirements.

[806 KAR 017:511](#). Repeal of 806 KAR 017:005, 806 KAR 017:095, 806 KAR 017:170, 806 KAR 017:180, and 806 KAR 017:510. (Deferred from August)

#### **Liability Self-insurance Groups**

[806 KAR 046:050](#). Liability self-insurance group rate, underwriting and evidence of coverage filings.

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Department for Medicaid Services**

#### **Payment and Services**

[907 KAR 003:005](#). Coverage of physicians' services. (Not Amended After Comments) (Deferred from July)

[907 KAR 003:010](#). Reimbursement for physicians' services. (Amended After Comments) (Deferred from July)

[907 KAR 003:060](#). Ambulance provider assessment program. (Amended After Comments)

## **Department for Community Based Services**

### **Family Support**

[921 KAR 001:020](#). Child Support Enforcement Program; confidentiality, program administration contracts, and agreements.

[921 KAR 001:390](#). Child Support Enforcement Program paternity establishment.

[921 KAR 001:400E](#). Establishment, review, and modification of child support and medical support orders. (Filed with Ordinary) ("E" expires 03-26-2022)

### **K-TAP, Kentucky Works, Welfare to Work, State Supplementation**

[921 KAR 002:015E](#). Supplemental programs for persons who are aged, blind, or have a disability. (Filed with Ordinary) ("E" expires 03-28-2022)

### **Supplemental Nutrition Assistance Program**

[921 KAR 003:027](#). Technical requirements. (Filed with Emergency)

### **Energy Assistance Program/Weatherization**

[921 KAR 004:116E](#). Low Income Home Energy Assistance Program or "LIHEAP". (Filed with Ordinary)

## **3. REGULATIONS ~~REMOVED~~ FROM SEPTEMBER'S AGENDA**

### **STATE BOARD OF ELECTIONS**

#### **Statewide Voter Registration**

[031 KAR 003:010](#). Current address of Kentucky registered voters and distribution of voter registration lists. (Deferred from August)

#### **Forms and Procedures**

[031 KAR 004:195E](#). Consolidation of precincts and precinct election officers. (Filed with Ordinary) ("E" expires 03-20-2022) (Comments Received; SOC due 09-15-2021)

[031 KAR 004:200E](#). Chain of custody for records during an election contest. (Filed with Ordinary) ("E" expires 03-20-2022) (Comments Received; SOC due 09-15-2021)

#### **Voting**

[031 KAR 005:025E](#). Ballot standards and election security. (Filed with Ordinary) ("E" expires 03-20-2022) (Comments Received; SOC due 09-15-2021)

### **DEPARTMENT OF LAW**

#### **Attorney General**

[040 KAR 001:040E](#). Standardized Open Records Request Form. (Filed with Ordinary) ("E" expires 03-25-2022) (Deferred from September)

### **~~FINANCE AND ADMINISTRATION CABINET~~**

#### **~~State-owned Buildings and Grounds~~**

[200 KAR 003:020E](#). ~~Use of state-owned facilities and grounds. (Filed with Ordinary) (Impacted by 2021 Legislation)~~

#### **Kentucky Infrastructure Authority**

[200 KAR 017:110](#). Guidelines for Kentucky Infrastructure Authority Drinking Water and Wastewater Grant Program. (Filed with Emergency) (Deferred from September)

## **BOARDS AND COMMISSIONS**

### **Board of Dentistry**

[201 KAR 008:520](#). Fees and fines. (Comments Received, SOC ext., due 10-15-2021)

### **Board of Embalmers and Funeral Directors**

[201 KAR 015:030E](#). Fees. (Filed with Ordinary) ("E" expires 03-27-2022) (Deferred from September)

### **Board of Nursing**

[201 KAR 020:471](#). Repeal of 201 KAR 020:470. (Comments Received, SOC ext., due 10-15-2021)

[201 KAR 020:472](#). Initial approval for dialysis technician training programs. (Comments Received, SOC ext., due 10-15-2021)

[201 KAR 020:474](#). Continuing approval and periodic evaluation of dialysis technician training programs. (Comments Received, SOC ext., due 10-15-2021)

[201 KAR 020:476](#). Dialysis technician credentialing requirements for initial credentialing, renewal, and reinstatement. (Comments Received, SOC ext., due 10-15-2021)

[201 KAR 020:478](#). Dialysis technician scope of practice, discipline, and miscellaneous requirements. (Comments Received, SOC ext., due 10-15-2021)

### **Board of Chiropractic Examiners**

[201 KAR 021:035](#). Seal. (Deferred from September)

[201 KAR 021:054](#). Emergency orders. (Deferred from September)

[201 KAR 021:070](#). Licensing examination requirements. (Deferred from September)

[201 KAR 021:090](#). Pre-chiropractic education requirements. (Deferred from September)

[201 KAR 021:100](#). Minimum standards for recordkeeping or itemized statements. (Deferred from September)

### **Board of Licensure for Professional Art Therapists**

[201 KAR 034:070](#). Inactive status. (Not Amended After Comments) (Deferred from September)

## **TRANSPORTATION CABINET**

### **~~Department of Vehicle Regulation~~**

#### **~~Motor Vehicle Commission~~**

[605 KAR 001:130](#). Procedures. (Withdrawn by agency)

## **EDUCATION AND WORKFORCE DEVELOPMENT CABINET**

### **Board of Education**

#### **School Terms, Attendance, and Operation**

[702 KAR 007:150](#). Home or hospital instruction. (Comments Received, SOC ext., due 10-15-2021)

## **LABOR CABINET**

### **Department of Workplace Standards**

#### **Labor Standards; Wages and Hours**

[803 KAR 001:005](#). Employer-employee relationship. (Deferred from September)  
[803 KAR 001:025](#). Equal pay provisions, meaning and application. (Deferred from September)  
[803 KAR 001:060](#). Overtime pay requirements. (Deferred from September)  
[803 KAR 001:063](#). Trading time. (Deferred from September)  
[803 KAR 001:065](#). Hours worked. (Deferred from September)  
[803 KAR 001:066](#). Recordkeeping requirements. (Deferred from September)  
[803 KAR 001:070](#). Executive, administrative, supervisory or professional employees; salesmen.  
(Deferred from September)  
[803 KAR 001:075](#). Exclusions from minimum wage and overtime. (Deferred from September)  
[803 KAR 001:080](#). Board, lodging, gratuities and other allowances. (Deferred from September)  
[803 KAR 001:090](#). Workers with disabilities and work activity centers' employee's wages.  
(Comments Received, SOC ext., due 10-15-2021)

### **Occupational Safety and Health**

[803 KAR 002:325](#). General industry standards. (Deferred from August)

## **PUBLIC PROTECTION CABINET**

### **Department of Insurance**

#### **Health Insurance Contracts**

[806 KAR 017:240](#). Data reporting requirements. (Deferred from September)  
[806 KAR 017:270](#). Telehealth claim forms and records. (Deferred from September)  
[806 KAR 017:280](#). Registration, utilization review, and internal appeal. (Deferred from September)  
[806 KAR 017:470](#). Data reporting to an employer-organized association health benefit plan.  
(Deferred from September)

## **ENERGY AND ENVIRONMENT CABINET**

### **Public Service Commission**

#### **Utilities**

[807 KAR 005:015](#). Access and attachments to utility poles and facilities. (Comments Received; SOC ext., due 09-15-2021)

## **CABINET FOR HEALTH AND FAMILY SERVICES**

### **Department for Public Health**

#### **Communicable Diseases**

[902 KAR 002:212E](#). ~~Covering the face in response to declared national or state public health emergency.~~ (Impacted by 2021 Legislation)

### **Department for Medicaid Services**

#### **Division of Policy and Operations**

[907 KAR 023:0020E](#). Reimbursement for outpatient drugs. (Filed with Ordinary) ("E" expires 03-26-2022) (Comments Received; SOC ext. due 09-15-2021)

### **Department for Community Based Services**

#### **Supplemental Nutrition Assistance Program**

[921 KAR 003:060](#). Administrative disqualification hearings and penalties. (Comments Received; SOC ext., due 09-15-2021)

#### **Child Welfare**

[922 KAR 001:300](#). Standards for child-caring facilities. (Comments Received; SOC ext., due 09-15-2021)

[922 KAR 001:380](#). Standards for emergency shelter child-caring facilities. (Comments Received; SOC ext., due 09-15-2021)

[922 KAR 001:390](#). Standards for residential child-caring facilities. (Comments Received; SOC ext., due 09-15-2021)

#### **Department for Community Based Services**

##### **Child Care**

[922 KAR 002:160E](#). Child Care Assistance Program. (Filed with Ordinary) (Comments Received, SOC due 9-15-2021)

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*\*Expiration dates in this document have been determined pursuant to KRS Chapter 13A provisions. Other statutes or legislation may affect a regulation's actual end date.*